

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

KRISTOPHER T. FRALEY,

Plaintiff,

v.

TOWN OF PURCELLVILLE, *et al.*,

Defendants.

No. 1:19-cv-01645-LO-JFA

**DEFENDANTS DARRYL DEBOW AND NORTHERN VIRGINIA PRE-EMPLOYMENT
& POLYGRAPH SERVICES' MOTION TO DISMISS PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 12(b)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), defendants Northern Virginia Pre-Employment & Polygraph Services and Darryl DeBow, by counsel, respectfully move to dismiss with prejudice the entirety of the Complaint against them (Counts II, III, IV, VI, VII, VIII, IX, X, XI and XII) on the grounds that the Complaint fails to state a claim upon which relief can be granted and fails to allege facts sufficient to establish a legally cognizable cause of action. The reasons for granting this motion are set forth in the accompanying brief.

WHEREFORE, defendants Northern Virginia Pre-Employment & Polygraph Services and Darryl DeBow, by counsel, respectfully request that this Court enter an Order granting the Motion to Dismiss, dismissing the Complaint against them with prejudice, and awarding costs and such other relief as is appropriate.

Dated March 6, 2020

/s/ Andrea L. Moseley
Andrea Moseley (VSB 43047)
KROPF MOSELEY PLLC
1100 H Street, NW, Suite 1220
Washington, DC 20005
(202) 549-0425
andrea@kmlawfirm.com

*Counsel for Defendants Northern Virginia Pre-
Employment & Polygraph Services and Darryl
DeBow*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 6, 2020, I caused a copy of the foregoing to be filed electronically with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to all interested parties:

Melvin E. Williams, Esq.
VSB No. 43305
Meghan A. Strickler, Esq.
VSB No. 88556
Mel Williams PLC 1320
Third Street, SW
Roanoke, VA 24016
540-266-7800 - Phone
540-206-3857 - Fax
mel@melwilliamsllaw.com
meghan@melwilliamsllaw.com
Counsel for Plaintiff

Jennifer L. Parrish, Esq.
VSB No. 31996
Jennifer L. McGovern, Esq.
VSB No. 92402
Parrish Snead Franklin Simpson, PLC.
P.O. Box 7166
Fredericksburg, VA 22401
540-373-3500 - Phone
540-899-6394 - Fax
parrish@parrishsnead.com
mcgovern@parrishsnead.com
Counsel for Town of Purcellville

John A. Conrad, Esq.
VSB No. 17640
TheConradFirm, P.C.
Stonewall Jackson Professional Center
1520 West Main Street, Suite 204
Richmond, VA 23220
804-359-6062 - Phone
804-359-6064 - Fax
jconrad@theconradfirm.com
Counsel for Clark McDaniel

John W. Zunka, Esq.
VSB No. 14368
Elizabeth C. Southall, Esq.
VSB No. 86390
Zunka, Milnor, & Carter, Ltd.
P. O. Box 1567
Charlottesville, VA 22902
434-977-0191 – Phone 434-
977-0198 – Fax
jzunka@zmc-law.com
esouthall@zmc-law.com
Counsel for Joseph Schroeck

David P. Corrigan (VSB No. 26341)
Melissa Y. York (VSB No. 77493)
Counsel for Alexander Vanegas
Harman, Claytor, Corrigan & Wellman
P.O. Box 70280 Richmond, Virginia
23255 804-747-5200 - Phone
804-747-6085 - Fax
dcorrigan@hccw.com
myork@hccw.com
Counsel for Alexander Vanegas

Mikhael D. Charnoff, Esq.
Perry Charnoff, PLLC
1010 N. Glebe Road
Suite 301
Arlington, VA 22201
703-291-6650 - Phone
703-563-6692 - Fax
mike@perrycharnoff.com
Counsel for Georgia Nuckolls

/s/ Andrea L. Moseley
Andrea Moseley (VSB 43047)
KROPF MOSELEY PLLC
1100 H Street, NW, Suite 1220
Washington, DC 20005
(202) 549-0425
andrea@kmlawfirm.com

*Counsel for Defendants Northern Virginia Pre-
Employment & Polygraph Services and Darryl
DeBow*